

Serial No. 10/765,845

Attorney Docket No. 26c-030

REMARKS

Claims 1-5 are pending. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1, 3, 5, and 6 have been amended to remove the word "vehicle's" from the name of the side walls, in order to clarify the claims and not in response to any rejection.

Claim 6 was rejected under 35 USC 112, second paragraph, as being indefinite. The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claim 6 has been amended to clarify that the bag shape of the airbag is formed by folding the body cloth on a fold located at the lower end of the airbag and sewing up overlapped outer peripheries of the cloth. This is disclosed at page 12, lines 15-21 and in Fig. 4. Claim 6 is now considered to be fully definite, and this rejection should be withdrawn.

Claims 1-3, 5 and 6 were rejected under 35 USC 102(b) as being anticipated by Kalandek et al. The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claim 1 has been amended to recite that "in an inflatable portion of the airbag above the tether, a length of the inner side wall above the joint portion of the tether is longer than a length of the outer side wall above the joint portion of the tether." This feature is supported in Fig. 3, page 11 (lines 3-8), and from page 14, line 21, to page 15, line 4 of the specification.

In addition, the office action asserts that Kalandek discloses all the features of claim 1 and refers to Fig. 8. However, Fig. 8 is not a vertical section taken along the transverse direction of the vehicle. Fig. 8 of Kalandek is a cross section taken along the longitudinal direction of the

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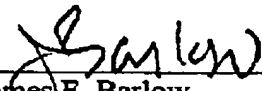
vehicle, as can be seen in Fig. 7. Therefore, the patent to Kalendek fails to disclose the features of claim 1.

In Kalandek, each of the tethers is sewn to opposite walls of the airbag. However, the Kalandek reference fails to disclose the feature added to claim 1 by this amendment. That is, in Kalandek, in an inflatable portion of the airbag above the tether, the length of the inner side wall above the joint portion of the tether is not longer than a length of the outer side wall above the joint portion of the tether. Therefore, this rejection should be withdrawn.

In view of the foregoing, the applicant submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,


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